

## **REMARKS**

The Examiner rejects claims 1-10. Claims 1, 2, 4-7, and 9-18 are pending in the above-referenced patent application. Applicants add new claims 11-18. Applicants cancel claims 3 and 8 without prejudice to filing one or more claims having similar subject matter. Support for the amendments and new claims may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments and new claims. Reconsideration of the pending claims is requested.

The Examiner objects to certain claims as containing informalities. Applicants amend the claims to correct these informalities.

The Examiner next rejects claims 1-3, 5-8, and 10 under 35 U.S.C. 103(a) as being unpatentable over Kershaw et al. (US Patent No. 5,565,316) in view of Corder (US Patent No. 5,387,104) and Knutson (US Patent No. 7,050,753). Applicants traverse this rejection.

The cited references may monitor the performance of the student, but the cited references do not monitor the presentation options as it relates to the performance of the student. Monitoring the presentation options as it relates to the performance of the student may make it possible to modify the presentation options available to the student to enable the student to be more comfortable in the testing environment, more clearly view the questions, more clearly organize his thoughts, and achieve higher test scores. In contrast to the cited references, the presently claimed invention includes different presentation options which may be utilized with the same question to evaluate the presentation option which is optimal for each student's abilities. As such, neither Kershaw, Corder, Knutson, nor any combination thereof, discloses or suggests at least "compiling data relating to use of the presentation options, and performance of the student in answering the plurality of questions," as similarly recited in independent claims 1, 5, 6, and 10.

Claims 2, 4, 7 and 9 depend from independent claims 1 and 6, so claims 2, 4, 7 and 9 are differentiated from the cited references for the same reasons as set forth above, in addition to their own respective features.

The Examiner next rejects claims 4 and 9 under 35 U.S.C. 103(a) as being unpatentable over Kershaw et al. (US Patent No. 5,565,316) in view of Corder (US Patent No. 5,387,104) and Knutson (US Patent No. 7,050,753), in further view of Rogers. Applicants respectfully traverse this rejection.

The Rogers reference was not included in the office action, and Applicants does not have access to it. However, Applicants' understanding of the document is that it merely provides practice questions. As set forth above, neither Kershaw, Corder, Knutson, nor any combination thereof, discloses or suggests at least "compiling data relating to use of the presentation options, and performance of the student in answering the plurality of questions," as similarly recited in independent claims 1 and 6 from which claims 4 and 9 depend, and Rogers does not disclose or teach such missing element. Moreover, the practice area may be initiated and utilized during an on-line exam. The cited documents do not expressly or implicitly suggest providing a practice area with questions, in an approved presentation option, during an exam, let alone during an on-line exam. The cited documents may teach away from this functionality, as practice questions are not typically offered during an exam, or during an on-line exam. Further, claims 4 and 9 depend from independent claims 1 and 6, so claims 4 and 9 are differentiated from the cited references for the same reasons as set forth above, in addition to their own respective features.

New dependant claims 11-18 have been added to further clarify the functionality of the systems and methods described within this disclosure. Support for these new claims can be found throughout the specification and drawings, and in particular, Figure 5 and its related written description. New dependent claims 11-18 depend from independent claims 1, 5, 6 and 10, so claims 11-18 are differentiated from the cited references for the same reasons as set forth above, in addition to their own respective features.

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited prior art. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject Application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814, including any required extension fees.

Respectfully submitted,

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By: \_\_\_\_\_

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